Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Frio Compression Facility (Site 1), on Highway 117, 16 miles southeast of the State Highway 85 and Highway 117 intersection, Dilley, La Salle County

Jea Compression Facility (Site 2), on Farm-to-Market Road ("FM") 469, 9.19 miles northeast of the intersection of Interstate Highway 35 and North Main Street, Cotulla, La Salle County

Light Compression Facility (Site 3), on an unnamed road, 8.21 miles southeast of the intersection of State Highway 85 and FM 468, Pearsall, Dimmit County

Traylor Compressor Facility (Site 4), on FM 117, 10.1 miles southeast of the intersection of State Highway 57 and FM 117, Batesville, Zavala County

Dilley Treating Facility (Site 5), on County Road 4827, 8.81 miles west-southwest of the State Highway 85 and IH 35 intersection, Dilley, La Salle County

Type of Operation:

Oil and gas production facility

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: February 7, 2014

Comments Received: No

Penalty Information

Total Penalty Assessed: \$22,736

Amount Deferred for Expedited Settlement: \$4,544 Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$18,192 **Total Due to General Revenue:** \$0

Payment Plan: N/A SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - High Site/RN - High

Major Source: No, Yes – Dilley Treating Facility RN106083900

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2011

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: July 3, 2013

Date(s) of NOE(s): July 3, 2013

Violation Information

- 1. Failed to obtain authorization for the source of air emissions prior to construction and operation. Specifically, two scavenger skids with two natural gas pneumatic pumps each were installed and operated at Site 1 from January 23, 2012 to March 13, 2013, prior to obtaining the proper authorization [30 Tex. Admin. Code § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b)].
- 2. Failed to obtain authorization for the source of air emissions prior to construction and operation. Specifically, a scavenger skid with two natural gas pneumatic pumps was installed and operated at Site 2 from January 23, 2013 to March 14, 2013, prior to obtaining the proper authorization [30 Tex. Admin. Code § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b)].
- 3. Failed to obtain authorization for the source of air emissions prior to construction and operation. Specifically, two scavenger skids with two natural gas pneumatic pumps each were installed and operated at Site 3 from October 1, 2012 to February 20, 2013, prior to obtaining the proper authorization [30 Tex. Admin. Code § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b)].

- 4. Failed to obtain authorization for the source of air emissions prior to construction and operation. Specifically, two scavenger skids with two natural gas pneumatic pumps each were installed and operated at Site 4 from May 14, 2012 to March 13, 2013, prior to obtaining the proper authorization [30 Tex. Admin. Code § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b)].
- 5. Failed to obtain authorization for the source of air emissions prior to construction and operation. Specifically, two scavenger skids with two natural gas pneumatic pumps each were installed and operated at Site 5 from June 18, 2012 to February 22, 2013, prior to obtaining the proper authorization [30 Tex. Admin. Code § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b)].
- 6. Failed to include all emission sources in the general operating permit. Specifically, the Respondent operated two scavenger skids with two natural gas pneumatic pumps each at Site 5 prior to including the emission sources in General Operating Permit No. O3533 [30 Tex. Admin. Code §§ 122.121 and 122.210(a) and Tex. Health & Safety Code §§ 382.054 AND 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following corrective measures at the Sites that resulted in not being required to obtain the proper authorization:

- a. On February 20, 2013, the four pneumatic pumps at Site 3 were placed on supplied air, terminating all volatile organic compound ("VOC") emissions from the two scavenger skids;
- b. On February 22, 2013, the four pneumatic pumps at Site 5 were placed on supplied air, terminating all VOC emissions from the two scavenger skids;
- c. On March 13, 2013, the four pneumatic pumps at Site 1 and the four pneumatic pumps at Site 4 were placed on supplied air, terminating all VOC emissions from the four scavenger skids; and
- d. On March 14, 2013, the scavenger skid and the two pneumatic pumps were removed from Site 2.

Technical Requirements:

N/A

Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A

Hearing Date(s): N/A **Settlement Date:** N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Amancio R. Gutierrez, Enforcement Division, Enforcement Team 5, MC 149, (512) 239-3921; Candy Garrett, Enforcement Division,

MC 219, (512) 239-1456

TCEQ SEP Coordinator: N/A

Respondent: Jimmie Hammontree, Regulatory Manager, Mockingbird Midstream

Gas Services, L.L.C., P.O. Box 54724, Oklahoma City, Oklahoma 73154

Walter J. Bennett, Vice President of Operations, Mockingbird Midstream Gas Services,

L.L.C., P.O. Box 54724, Oklahoma City, Oklahoma 73154

Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW) Policy Revision 3 (September 2011) PCW Revision August 3, 2011 Assigned 8-Aug-2013 PCW 15-0ct-2013 Screening 14-Aug-2013 **EPA Due** RESPONDENT/FACILITY INFORMATION Respondent Mockingbird Midstream Gas Services, L.L.C. (Site 1) Reg. Ent. Ref. No. RN106153554 Facility/Site Region 16-Laredo Major/Minor Source Minor **CASE INFORMATION** Enf./Case ID No. 47414 No. of Violations Docket No. 2013-1536-AIR-E Order Type 1660 Media Program(s) Air Government/Non-Profit No Multi-Media Enf. Coordinator Amancio R. Gutierrez EC's Team Enforcement Team 5 Admin. Penalty \$ Limit Minimum \$0 Maximum \$25,000 Penalty Calculation Section \$6,250 TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. **Compliance History** Subtotals 2, 3, & 7 -10.0% Enhancement -\$625 Reduction for high performer classification. Notes Culpability No Subtotal 4 \$0 0.0% Enhancement The Respondent does not meet the culpability criteria. Notes Good Faith Effort to Comply Total Adjustments Subtotal 5 \$1,562 \$0 **Economic Benefit** 0.0% Enhancement* Subtotal 6 Total EB Amounts *Capped at the Total EB \$ Amount \$551 Approx. Cost of Compliance \$4,063 SUM OF SUBTOTALS 1-7 Final Subtotal OTHER FACTORS AS JUSTICE MAY REQUIRE 13.6% \$551 Adjustment Reduces or enhances the Final Subtotal by the indicated percentage Enhancement to capture the avoided cost of compliance for Violation No. Notes Final Penalty Amount \$4,614 STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty \$4,614

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

PAYABLE PENALTY

Deferral offered for expedited settlement.

Reduction Adjustment

20.0%

-\$922

\$3,692

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

Screening Date 14-Aug-2013

Docket No. 2013-1536-AIR-E

Respondent Mockingbird Midstream Gas Services, L.L.C. (Site

Case ID No. 47414

Reg. Ent. Reference No. RN106153554

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Compliance History Worksheet >> Compliance History Site Enhancement (Subtotal 2) Component Number of... Enter Number Here Adjust. Written notices of violation ("NOVs") with same or similar violations as those in 0 0% **NOVs** the current enforcement action (number of NOVs meeting criteria) Other written NOVs 0 0% Any agreed final enforcement orders containing a denial of liability (number of 0 0% orders meeting criteria) **Orders** Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal 0 0% government, or any final prohibitory emergency orders issued by the commission Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or 0 0% Judgments consent decrees meeting criteria) and Consent Any adjudicated final court judgments and default judgments, or non-adjudicated Decrees final court judgments or consent decrees without a denial of liability, of this state 0 0% or the federal government Any criminal convictions of this state or the federal government (number of 0 0% Convictions counts) Chronic excessive emissions events (number of events) 0% **Emissions** 0 Letters notifying the executive director of an intended audit conducted under the 0 Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 0% 1995 (number of audits for which notices were submitted) **Audits** Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were 0% n disclosed) Please Enter Yes or No Environmental management systems in place for one year or more 0% No Voluntary on-site compliance assessments conducted by the executive director No 0% under a special assistance program Other Participation in a voluntary pollution reduction program 0% No Early compliance with, or offer of a product that meets future state or federal No government environmental requirements Adjustment Percentage (Subtotal 2) 0% >> Repeat Violator (Subtotal 3) No Adjustment Percentage (Subtotal 3) >> Compliance History Person Classification (Subtotal 7) High Performer Adjustment Percentage (Subtotal 7) >> Compliance History Summary Compliance History Reduction for high performer classification. **Notes** Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) >> Final Compliance History Adjustment Final Adjustment Percentage *capped at 100%

	Mockingbird Midstream Gas Services, L.L.C. (Site 1) Policy Revision	PCW on 3 (September 2011)
Case ID No. Reg. Ent. Reference No. Media [Statute] Enf. Coordinator Violation Number	RN106153554 Air Amancio R. Gutierrez	evision August 3, 2011
Rule Cite(s)	30 Tex. Admin. Code § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b)	
Violation Description	Failed to obtain authorization for the source of air emissions prior to construction and operation. Specifically, two scavenger skids with two natural gas pneumatic pumps each were installed and operated at Site 1 from January 23, 2012 to March 13, 2013, prior to obtaining the proper authorization.	
	Base Penalty	\$25,000
	ty and Human Health Matrix Harm	
OR Release OR Actual Potential		
>>Programmatic Matrix	Percent 0.0%	
Falsification	Major Moderate Minor x Percent 5.0%	
Matrix Notes	100% of the rule requirement was not met.	
	Adjustment \$23,750	
	!	\$1,250
Violation Events		
Number of '	Violation Events 5 415 Number of violation days	
	daily weekly	
mark only one with an x	monthly quarterly x Violation Base Penalty semiannual annual single event	\$6,250
	Five quarterly events are recommended.	
Good Faith Efforts to Com	ply 25.0% Reduction Before NOV NOV to EDPRP/Settlement Offer	\$1,562
	Extraordinary Condinary x	
	N/A (mark with x) The Respondent completed corrective measures on Notes March 13, 2013, before the violation disclosure date of March 27, 2013.	
	Violation Subtotal	\$4,688
Economic Benefit (EB) for	this violation Statutory Limit Test	
Estimat	ed EB Amount \$551 Violation Final Penalty Total	\$4,614
	This violation Final Assessed Penalty (adjusted for limits)	\$4,614

Respondent Case ID No. eg. Ent. Reference No. Media	_	idetream Gas Ser					
eg. Ent. Reference No.	47414	idadi carri daa aci	vices, L.L.C. (Si	te 1)			***************************************
Media	RN106153554						
	Air					Percent Interest	Years of
Violation No.	1					reitent miterest	Depreciation
						5.0	1!
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs		v		1	T	r	<u></u>
Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed) Engineering/construction				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Land				0.00	\$0 \$0	n/a	\$0 \$0
Record Keeping System				0.00	\$0	n/a	\$0 \$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Other (as needed) Notes for DELAYED costs	ANNIIAI	IZE (11) avoided	costs before	0.00	\$0	rVa	\$0
Other (as needed) Notes for DELAYED costs Avoided Costs	ANNUAL	IZE [1] avoided	costs before	0.00	\$0 ng item (except	n/a for one-time avoid	\$0 led costs)
Other (as needed) Notes for DELAYED costs	ANNUAL	IZE [1] avoided	costs before	0.00	\$0	rVa	\$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	ANNUAL	IZE [1] avoided	costs before (0,00 enterii 0.00	\$0 ng item (except	n/a for one-time avoid	\$0 ded costs)
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	ANNUAL	IZE [1] avoided	costs before	0,00 enterii 0.00 0.00	\$0 ng item (except \$0 \$0	n/a for one-time avoid \$0 \$0	\$0 led costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel aspection/Reporting/Sampling	ANNUAL	IZE [1] avoided	costs before	0.00 enterir 0.00 0.00 0.00 0.00	\$0 ng item (except \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 ded costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment	ANNUAL \$500	IZE [1] avoided		0.00 enterio 0.00 0.00 0.00	\$0 ng item (except \$0 \$0 \$0 \$0	for one-time avoid	\$0 led costs) \$0 \$0 \$0 \$0

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Compliance History Report

PENDING Compliance History Report for CN603710500, RN106153554, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or CN603710500, Mockingbird Midstream Gas Classification: HIGH Rating: 0.00
Owner/Operator: Services, L.L.C.

Owner/Operator: Services, L.L

Regulated Entity: RN106153554, FRIO COMPRESSION Classification: HIGH Rating: 0.00

FACILITY

Complexity Points: 1 Repeat Violator: NO

CH Group: 03 - Oil and Gas Extraction

Location: ON HIGHWAY 117, 16 MILES SOUTHEAST OF THE HIGHWAY 85 AND HIGHWAY 117 INTERSECTION IN DILLEY, LA

SALLE COUNTY, TEXAS

TCEQ Region: REGION 16 - LAREDO

ID Number(s):

AIR NEW SOURCE PERMITS REGISTRATION 96445

Compliance History Period: September 01, 2008 to August 31, 2013 Rating Year: 2013 Rating Date: 09/01/2013

Date Compliance History Report Prepared: October 15, 2013

Agency Decision Requiring Compliance History: Enforcement

Agency Decision Requiring compliance instory.

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Amancio R. Gutierrez Phone: (512) 239-3921

October 15, 2008 to October 15, 2013

Site and Owner/Operator History:

Component Period Selected:

1) Has the site been in existence and/or operation for the full five year compliance period?

NO

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

riod? NO

3) If **YES** for #2, who is the current owner/operator? N/A

4) If **YES** for #2, who was/were the prior N/A owner(s)/operator(s)?

TOWER than did the character's course on according

5) If **YES**, when did the change(s) in owner or operator N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

N/Λ

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N//

H. Voluntary on-site compliance assessment dates:

N//

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/

Sites Outside of Texas:

Penalty Calcula Policy Revision 3 (September 2011)	tion Worksheet (PCW) PCW Revision Augus	st 3, 2011
ICEQ DATES Assigned 8-Auq-2013 PCW 15-Oct-2013 Screening 14-Auq-2013	2013 EPA Due	
RESPONDENT/FACILITY INFORMATION Respondent Mockingbird Midstream Gas Services, L	L.C. (Site 2)	
Reg. Ent. Ref. No. RN106501398 Facility/Site Region 16-Laredo	Major/Minor Source Minor	
CASE INFORMATION		
Enf./Case ID No. 47414	No. of Violations 1	pc cocceceron 11461174
Docket No. 2013-1536-AIR-E Media Program(s) Air	Order Type 1660 Government/Non-Profit No	
Multi-Media	Enf. Coordinator Amancio R. Gutierrez	
Admin. Penalty \$ Limit Minimum \$0 Maximu	m \$25,000 EC's Team Enforcement Team 5	
Donalky Cala	ulation Coation	
·	ulation Section	#4 DEA
TOTAL BASE PENALTY (Sum of violation base pe	enalties) Subtotal 1	\$1,250
ADJUSTMENTS (+/-) TO SUBTOTAL 1		
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Sub Compliance History -10	ototal 1) by the indicated percentage. 1.0% Enhancement Subtotals 2, 3, & 7	-\$125
		7
Notes Reduction for high perfo	ormer classification.	
Culpability No 0	0.0% Enhancement Subtotal 4	\$0
Notes The Respondent does not me	et the culpability criteria.	
Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$312
good (ditt) Enore to comply recall regulating its		4011
Economic Benefit 0	1.0% Enhancement* Subtotal 6	\$0
	*Capped at the Total EB \$ Amount	
Approx. Cost of Compilance \$500		
SUM OF SUBTOTALS 1-7	Final Subtotal	\$813
OTHER FACTORS AS JUSTICE MAY REQUIRE	64.7% Adjustment	\$526
Reduces or enhances the Final Subtotal by the indicated percentage.	abjustment	4520
Enhancement to capture the avoided of	ost of compliance for Violation No.	
Notes		
	Final Penalty Amount	\$1,339
STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$1,339
DEFERRAL Reduces the Final Assessed Penalty by the indicated percentage. (Enter number	20.0% Reduction Adjustment	-\$267
Reduces the Final Assessed Fenancy by the indicated percentage. (Line Humbe	is only, e.g. to for 20 % reductionly	

Deferral offered for expedited settlement.

PAYABLE PENALTY

\$1,072

Notes

Policy Revision 3 (September 2011)

Enter Number Here Adjust.

PCW Revision August 3, 2011

Screening Date 14-Aug-2013

Docket No. 2013-1536-AIR-E

Respondent Mockingbird Midstream Gas Services, L.L.C. (Site

Case ID No. 47414

Reg. Ent. Reference No. RN106501398 Media [Statute] Air

Component Number of...

Enf. Coordinator Amancio R. Gutierrez

Compliance History Worksheet >> Compliance History Site Enhancement (Subtotal 2)

	ry Person Classification (Subtotal 7) ormer Adjustment Person	centage (Sub	total 7) -1
npliance Histo High Perf	ry Person Classification (Subtotal 7) ormer Adjustment Person	centage (Sub	total 7) -1
npliance Histo	ry Person Classification (Subtotal 7)	centage (Sub	total 7)1
	Entransian Annual Control Cont		
No	Adjustment Per	centage (Sub	total 3) 🔝 0
eat Violator (Subtotal 3)		
	Adjustment Per	centage (Sub	total 2) 0
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Participation in a voluntary pollution reduction program	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Environmental management systems in place for one year or more	No	0%
	<u> </u>	ease Enter Yes or No	
nuulo :	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Andite	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
	orders meeting criteria)	0	0%
	Other written NOVs Any agreed final enforcement errors containing a denial of liability (number of	0	0%
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	**************************************	0%
	Orders Judgments and Consent Decrees Convictions Emissions Audits	the current enforcement action (number of NOVs meeting criteria) Other written NOVs Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria) Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria) Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments are default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (number of counts) Emissions Chronic excessive emissions events (number of events) Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted) Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) Environmental management systems in place for one year or more Voluntary on-site compliance assessments conducted by the executive director under a special assistance program Participation in a voluntary pollution reduction program Early compliance with, or offer of a product that meets future state or federal government environmental requirements Adjustment Peresect Violator (Subtotal 3)	the current enforcement action (number of Novs meeting criteria) Other written NOVs Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria) Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria) Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (number of or the federal government (number of or the federal government) Convictions Any criminal convictions of this state or the federal government (number of counts) Emissions Chronic excessive emissions events (number of events) Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted) Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) Please Enter Yes or No No Other Other Environmental management systems in place for one year or more Voluntary on-site compliance assessments conducted by the executive director under a special assistance program Participation in a voluntary pollution reduction program Adjustment Percentage (Subreat Violators)

Screening Date	14-Aug-2013	Docket No. 2013-1536-AIR-E	PCW
	Mockingbird Midstream Gas Service	es, L.L.C. (Site 2)	Policy Revision 3 (September 2011)
Case ID No. Reg. Ent. Reference No.			PCW Revision August 3, 2011
Media [Statute]			
	Amancio R. Gutierrez		
Violation Number			
Rule Cite(s)	• In the second of the seco) and Tex. Health & Safety Code §§ 38 and 382.085(b)	32.0518(a)
Violation Description	and operation. Specifically, a so pumps was installed and operated	the source of air emissions prior to collavenger skid with two natural gas produced at Site 2 from January 23, 2013 to I aining the proper authorization.	eumatic
		Bas	se Penalty \$25,000
>> Environmental, Prope	rty and Human Health Mati	ix .	
Release	Harm		
OR Actual		nor	_
Potential		Percent 0.0%	
>>Programmatic Matrix			
Falsification		nor	1
		Percent 5.0%	
Matrix			
Notes	100% of the rule requi	irement was not met.	
<u> </u>	<u> 1860. laikuti 1860. laiki kandinasti kassii laitua kisita kan matika kan kassa matika kan kan kan kan kan ka</u>		
		Adjustment	\$23,750
			\$1,250
Violation Events			
Violation Events			
Number of '	Violation Events 1	50 Number of violation	days
	daily		
	weekly Entitlement		
mark only one	monthly quarterlyx	Violation Bas	se Penalty \$1,250
with an x	semiannual		7.7.00
	annual single event		
	One quarterly event		
	One quarterly even		
			±212
Good Faith Efforts to Com		文ion EDPRP/Settlement Offer	\$312
	Extraordinary		
	Ordinary x		
	N/A (mark) The Respondent	with x) completed corrective measures on	
	18 A C C C C C C C C C C C C C C C C C C	efore the violation disclosure date of	
		March 27, 2013.	
		Violation	Subtotal \$938
Economic Benefit (EB) for	this violation	Statutory Limi	t Test
	ed EB Amount	\$526 Violation Final Pen	
	European Control of Co	Final Assessed Penalty (adjusted f	
	3	(aujusteu	

Violation No.	RN106501398 Air 1	COSCUE VALUE FOOD DESERVICES		58959595555	######################################	Percent Interest	Years of Depreciation
						5.0	1:
Item Description		Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item New ibrion	NO COMMISS OF 3						
Delaved Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling		4		0.00	\$0	n/a	\$0 \$0
Remediation/Disposal		 		0.00	\$0	n/a	
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
Other (as needed) Notes for DELAYED costs				0.00	\$0	n/a d	\$0
Other (as needed) Notes for DELAYED costs Avoided Costs	ANNUAL	IZE [1] avoided	costs before	0.00	\$0 ig item (except i	n/a or one-time avoid	\$0 led costs)
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	ANNUAL	IZE [1] avoided	costs before	0.00 enterir	\$0 ig item (except to \$0	n/a for one-time avoid \$0	\$0 led costs) \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	ANNUAL	IZE [1] avoided	costs before	0.00 enterin 0.00 0.00	\$0 ig item (except \$0 \$0	n/a for one-time avoid \$0 \$0	\$0 led costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	ANNUAL	IZE [1] avoided	costs before	0.00 enterir 0.00 0.00	\$0 ig item (except : \$0 \$0 \$0 \$0	n/a for one-time avoid \$0 \$0 \$0 \$0	\$0 led costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	ANNUAL	IZE [1] avoided	costs before	0.00 enterin 0.00 0.00	\$0 ig item (except \$0 \$0	n/a for one-time avoid \$0 \$0	\$0 led costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment	ANNUAL	IZE [1] avoided	costs before	0.00 enterir 0.00 0.00 0.00	\$0 ig item (except ! \$0 \$0 \$0 \$0 \$0	n/a for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 led costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel respection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANNUAL \$500	IZE [1] avoided		0.00 enteria 0.00 0.00 0.00 0.00	\$0 ig item (except : \$0 \$0 \$0 \$0 \$0 \$0	n/a for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 led costs) \$0 \$0 \$0 \$0 \$0 \$0

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Compliance History Report

PENDING Compliance History Report for CN603710500, RN106501398, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or Owner/Operator:	r CN603710500, Mockingb Services, L.L.C.	ird Midstream Gas	Classification: H	IIGH	Rating	0.00
Regulated Entity:	RN106501398, JEA COMF FACILITY	PRESSION	Classification: H	HIGH	Rating	0.00
Complexity Points:	1		Repeat Violator:	NO		
H Group:	14 - Other			***************************************		
ocation:	ON FARM TO MARKET RO AND NORTH MAIN STREE				ON OF INTERSTATE	HIGHWAY 35
CEQ Region:	REGION 16 - LAREDO					
D Number(s): AIR NEW SOURCE PERMITS	REGISTRATION 107697					
Compliance History Period	d: September 01, 2008	3 to August 31, 201	Rating Year	2013	Rating Date:	09/01/2013
Pate Compliance History	Report Prepared:	October 15, 2013		\(\frac{1}{2}\)		
gency Decision Requirin	g Compliance History	: Enforcemen	nt			
Component Period Select	ed: October 15, 2008	3 to October 15, 201	13			
CEQ Staff Member to Cor	ntact for Additional I	nformation Reg	arding This Compl	iance Hist	ory.	-
Name: Amancio R. Guti	errez		Phone: (512) 239-39	921	

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

NO

3) If YES for #2, who is the current owner/operator?

N/A

4) If YES for #2, who was/were the prior

N/A

owner(s)/operator(s)?

5) If YES, when did the change(s) in owner or operator

N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

C. Chronic excessive emissions events:

D. The approval dates of investigations (CCEDS Inv. Track. No.):

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

Policy Revision 3 (Se	•	Calculation	n Worksheet (PC	CW) PCW Revision Au	gust 3, 2011
ICEQ DATES Assigned PCW	8-Aug-2013 15-Oct-2013 Scree n	ing 14-Aug-2013	EPA Due		
RESPONDENT/FACILI Respondent Reg. Ent. Ref. No. Facility/Site Region	Mockingbird Midstream G RN106449283	as Services, L.L.C.	(Site 3) Major/Minor Source	e [Minor	
CASE INFORMATION Enf./Case ID No.	47414		No. of Violation	s 1	
Docket No. Media Program(s) Multi-Media	2013-1536-AIR-E Air			t No r Amancio R. Gutierrez n Enforcement Team 5	in the second se
Admin. Penalty \$ I	Limit Minimum \$0	Maximum	\$25,000		
	Pen	alty Calculat	tion Section		
TOTAL BASE PENA	LTY (Sum of violati	on base penal	ties)	Subtotal 1	\$2,500
	/-) TO SUBTOTAL 1 stained by multiplying the Total I	Paco Panalty (Cubtota) 1) by the indicated percentage		
Compliance Hi				otals 2, 3, & 7	-\$250
Notes	Reduction	for high performer	classification.		
Culpability	No	0.0%	Enhancement	Subtotal 4	\$0
Notes	The Respondent	does not meet the	culpability criteria.		
Good Faith Effe	ort to Comply Total Adj	ustments		Subtotal 5	\$625
Economic Bene	Total EB Amounts \$533		Enhancement* d at the Total EB \$ Amount	Subtotal 6	\$0
	Cost of Compliance \$500			00:000000000000000000000000000000000000	
SUM OF SUBTOTAL	LS 1-7			Final Subtotal	\$1,625
	AS JUSTICE MAY REC Subtotal by the indicated percen		32.8%	Adjustment	\$533
Notes	Enhancement to capture	the avoided cost of 1.	compliance for Violation No		in di
			Final Pe	nalty Amount	\$2,158
STATUTORY LIMIT	「ADJUSTMENT		Final Ass	essed Penalty	\$2,158
DEFERRAL Reduces the Final Assessed Pe	nalty by the indicated percentag	e. <i>(Enter number only;</i>	20.0% Reduction e.g. 20 for 20% reduction.)	Adjustment	-\$431

Deferral offered for expedited settlement.

\$1,727

PAYABLE PENALTY

Notes

Screening Date 14-Aug-2013

Docket No. 2013-1536-AIR-E

Respondent Mockingbird Midstream Gas Services, L.L.C. (Site

Case ID No. 47414

Reg. Ent. Reference No. RN106449283

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Policy Revision 3 (September 2011) PCW Revision August 3, 2011

Compliance History Worksheet

NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	00:
		· ·	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		0%
Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
		ease Enter Yes or No	00/
	Environmental management systems in place for one year or more Voluntary on-site compliance assessments conducted by the executive director	No	0%
Other	under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment Per	centage (Sub	total 2) [
epeat Violator (Subtotal 3)		
No	Adjustment Per	centage (Sub	total 3)
ompliance Histo	ry Person Classification (Subtotal 7)		
High Perf	ormer Adjustment Per	centage (Sub	total 7) [
ompliance Histo	ry Summary		
Compliance History Notes	Reduction for high performer classification.		-
nal Compliance H	Total Compliance History Adjustment Percentage (S listory Adjustment	Subtotals 2, :	3, & 7) [

Screening Date	. "	PCW
	Mockingbird Midstream Gas Services, L.L.C. (Site 3)	Policy Revision 3 (September 2011)
Case ID No. Reg. Ent. Reference No.		PCW Revision August 3, 2011
Media [Statute]		
Enf. Coordinator		
Violation Number		
Rule Cite(s)	30 Tex. Admin. Code § 116.110(a) and Tex. Health & Safety Code §§ 38 and 382.085(b)	32.0518(a)
Violation Description	Failed to obtain authorization for the source of air emissions prior to cor and operation. Specifically, two scavenger skids with two natural gas p pumps each were installed and operated at Site 3 from October 1, 2 February 20, 2013, prior to obtaining the proper authorization	neumatic 012 to
	Bas	e Penalty \$25,000
>> Environmental, Proper	ty and Human Health Matrix	
Release	Harm Major Moderate Minor	
OR Actual Potential	Percent 0.0%	
>>Programmatic Matrix		
Falsification	Major Moderate Minor	
	X Percent 5.0%	
Matrix		
Notes	100% of the rule requirement was not met.	
<u> </u>	Adjustment	\$23,750
	Aujustineit	
distriction		\$1,250
Violation Events		
Number of \	violation Events 2 142 Number of violation	days
mark only one with an x	daily weekly monthly quarterly x semiannual annual	e Penalty \$2,500
	single event	
	Two quarterly events are recommended.	
Good Faith Efforts to Com	25.0% Reduction	\$625
	Before NOV NOV to EDPRP/Settlement Offer	1 1 1
	Extraordinary X Ordinary X	,
	N/A (mark with x)	
•	The Respondent completed corrective measures on Notes February 20, 2013, before the violation disclosure date of March 27, 2013.	
-	Violation	Subtotal \$1,875
Economic Benefit (EB) for	this violation Statutory Limit	Test
Estimate	ed EB Amount \$533 Violation Final Pen	alty Total \$2,158
	This violation Final Assessed Penalty (adjusted f	or limits) \$2,158

Violation No.	Air 1		endo proposociodos quenenques.	resorri di esce		Percent Interest	Years of Depreciation
						5.0	1
Item Description		Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs				Side (1914)			
Equipment		T I		10.00	\$0	\$0	\$0
Buildings		212112112111111111111111111111111111111	######################################	0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System		31212322233333312		0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a l	\$0
Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	ANNUAL	IZE [1] avoided	costs before	enterir 0.00 0.00	ng item (except \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0	s0 \$0 \$0 \$0
Avoided Costs Disposal Personnel	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment	\$500		costs before	0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0

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Compliance History Report

PENDING Compliance History Report for CN603710500, RN106449283, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or CN603710500, Mockingbird Midstream Gas Classification: HIGH Rating: 0.00 Services, L.L.C. Owner/Operator: RN106449283, LIGHT COMPRESSION Regulated Entity: Classification: HIGH Rating: 0.00 **FACILITY Complexity Points:** Repeat Violator: NO 03 - Oil and Gas Extraction CH Group: ON AN UNNAMED ROAD, 8.21 MILES SOUTHEAST OF THE INTERSECTION OF TEXAS 85 AND FARM TO MARKET Location: ROAD 468 IN PEARSALL, DIMMIT COUNTY, TEXAS

TCEO Region:

REGION 16 - LAREDO

ID Number(s):

AIR NEW SOURCE PERMITS REGISTRATION 103968

AIR NEW SOURCE PERMITS REGISTRATION 107379

Rating Year: 2013 September 01, 2008 to August 31, 2013 Rating Date: **Compliance History Period:**

Date Compliance History Report Prepared: October 15, 2013

Agency Decision Requiring Compliance History:

Enforcement

October 15, 2008 to October 15, 2013 Component Period Selected:

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Amancio R. Gutierrez Phone: (512) 239-3921

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period?

NO

09/01/2013

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

NO

3) If **YES** for #2, who is the current owner/operator?

N/A

4) If YES for #2, who was/were the prior

N/A

owner(s)/operator(s)?

If YES, when did the change(s) in owner or operator

N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

Final Orders, court judgments, and consent decrees:

N/A

occur?

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

D. The approval dates of investigations (CCEDS Inv. Track. No.):

N/A

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

F. Environmental audits: N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

Penalty Calculation Worksheet (PCW) Policy Revision 3 (September 2011) PCW Revision August 3, 2011 **TCEQ** DATES Assigned 8-Aug-2013 PCW 15-Oct-2013 Screening 14-Aug-2013 **EPA Due** RESPONDENT/FACILITY INFORMATION Respondent Mockingbird Midstream Gas Services, L.L.C. (Site 4) Reg. Ent. Ref. No. RN106388085 Facility/Site Region 16-Laredo Major/Minor Source Minor CASE INFORMATION No. of Violations 1 Enf./Case ID No. 47414 Docket No. 2013-1536-AIR-E Order Type 1660 Government/Non-Profit No Media Program(s) Air Multi-Media Enf. Coordinator Amancio R. Gutierrez EC's Team Enforcement Team 5 Admin. Penalty \$ Limit Minimum \$0 Maximum \$25,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) \$5,000 Subtotal 1 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. Compliance History Subtotals 2, 3, & 7 -\$500 -10.0% Enhancement Reduction for high performer classification. Notes 0.0% Enhancement Subtotal 4 \$0 Culpability No The Respondent does not meet the culpability criteria. Notes Good Faith Effort to Comply Total Adjustments Subtotal 5 \$1,250 0.0% Enhancement* Subtotal 6 \$0 **Economic Benefit** Total EB Amounts Approx. Cost of Compliance *Capped at the Total EB \$ Amount \$544 **SUM OF SUBTOTALS 1-7** Final Subtotal \$3,250 OTHER FACTORS AS JUSTICE MAY REQUIRE 16.7% Adjustment \$544 Reduces or enhances the Final Subtotal by the indicated percentage Enhancement to capture the avoided cost of compliance for Violation No. Notes Final Penalty Amount \$3,794 STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty \$3,794

Deferral offered for expedited settlement.

Reduces the Final Assessed Penalty by the indicated percentage.

Notes

PAYABLE PENALTY

20.0%

Reduction

ction.)

Adjustment

-\$758

\$3,036

Screening Date 14-Aug-2013

Docket No. 2013-1536-AIR-E

Respondent Mockingbird Midstream Gas Services, L.L.C. (Site

Case ID No. 47414

Reg. Ent. Reference No. RN106388085

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Policy Revision 3 (September 2011)
PCW Revision August 3, 2011

Compliance History Worksheet

Component	ory <i>Site</i> Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	O	0%
Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	O	0%
· · · · · · · · · · · · · · · · · · ·	Ple	ase Enter Yes or No	<u> </u>
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment Per	centage (Sub	total 2)
eat Violator (t (Sh	
No	Adjustment Per	centage (Sub	totai 3 j
oliance Histo	ry Person Classification (Subtotal 7)		
High Perl	ormer Adjustment Per	centage (Sub	total 7)
pliance Histo	ry Summary		
Compliance History Notes	Reduction for high performer classification.		
	Total Compliance History Adjustment Percentage (S History Adjustment	Subtotals 2,	3, & 7)

Screening Date		Docket No. 2013-1536-AIR-E		PCW
Respondent Case ID No.		tream Gas Services, L.L.C. (Site 4)	Policy Revision 3 (S	1
Reg. Ent. Reference No.			PCVV REVISION	August 3, 2011
Media [Statute]				
Enf. Coordinator		rrez		
Violation Number	1			
Rule Cite(s)	30 Tex. Admin. C	Code § 116.110(a) and Tex. Health & Safety Code §§ 38 and 382.085(b)	32.0518(a)	***************************************
Violation Description	and operation. I pumps each were	authorization for the source of air emissions prior to cor Specifically, two scavenger skids with two natural gas p e installed and operated at Site 4 from May 14, 2012 to 2013, prior to obtaining the proper authorization.	neumatic	
		Bas	e Penalty	\$25,000
>> Environmental, Proper	ty and Huma	n Health Matrix		
Release	Major	Harm Moderate Minor		
OR Actual			ı	annin an
Potential	<u> </u>	Percent 0.0%		0044
>>Programmatic Matrix				To the second
Falsification	Major X	Moderate Minor Percent 5.0%		er er de de de
	R			
Matrix	1000	6 of the rule requirement was not met.		
Notes	1007	o of the full requirement was not net.		
		Adjustment	\$23,750	
				\$1,250
Violation Events				
	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		4	
Number of V	Violation Events	4 303 Number of violation	days	
	daily			
	weekly monthly			
mark only one with an x	quarterly	X Violation Bas	e Penalty	\$5,000
	semiannual annual			
	single event			

	Fou	r quarterly events are recommended.		
Good Faith Efforts to Com	ply	25.0% Reduction		\$1,250
	Extraordinary	Before NOV NOV to EDPRP/Settlement Offer		
	Ordinary	X 1114 114 1144 1		
	N/A	(mark with x)		
	Natas	The Respondent completed corrective measures on 4arch 13, 2013, before the violation disclosure date of		
	Notes 1	March 27, 2013.		
	l lean	Violation	Subtotal	\$3,750
Economic Benefit (EB) for	this violation	Statutory Limi	t Test	
Estimate	ed EB Amount	\$544 Violation Final Pen	alty Total	\$3,794
		This violation Final Assessed Penalty (adjusted f	or limits)	\$3,794

Violation No.	Air 1					Percent Interest	Years of Depreciation
	370					5.0	1.
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs				350 8888			
Equipment		iri		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0 \$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	<u>\$0</u>	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
					*********		·····
Remediation/Disposal				0.00	\$0	n/a	\$0
Remediation/Disposal Permit Costs				0.00	\$0 \$0	n/a n/a	
					\$0 \$0 \$0	n/a n/a n/a	\$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs	ANNUAL	IZE [1] avoided	costs before	0.00	\$0 \$0	nja nja	\$0 \$0
Permit Costs Other (as needed)	ANNUAL	IZE [1] avoided	costs before	0.00	\$0 \$0	n/a	\$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	ANNUAL	IZE [1] avoided	costs before (0.00 0.00	\$0 \$0	n/a n/a n/a for one-time avoid	\$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 enterin	\$0 \$0 g item (except	n/a n/a for one-time avoid	\$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 enterin 0.00 0.00	\$0 \$0 g item (except \$0 \$0	n/a n/a for one-time avoid \$0 \$0	\$0 \$0 \$0 ded costs) \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel section/Reporting/Sampling	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 enterin 0.00 0.00	\$0 \$0 g item (except \$0 \$0	n/a n/a for one-time avoid \$0 \$0 \$0	\$0 \$0 led costs \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel ection/Reporting/Sampling Supplies/equipment	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 enterin 0.00 0.00 0.00	\$0 \$0 g item (except \$0 \$0 \$0 \$0	n/a n/a for one-time avoid \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 led costs) \$0 \$0 \$0 \$0

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Compliance History Report

PENDING Compliance History Report for CN603710500, RN106388085, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or CN603710500, Mockingbird Midstream Gas Classification: HIGH Rating: 0.00 Services, L.L.C. Owner/Operator: RN106388085, TRAYLOR COMPRESSOR Classification: HIGH Regulated Entity: Rating: 0.00 **FACILITY** Repeat Violator: **Complexity Points:** 03 - Oil and Gas Extraction CH Group: ON FARM TO MARKET ROAD 117, 10.1 MILES SOUTHEAST OF THE INTERSECTION OF HIGHWAY 57 AND FARM TO Location: MARKET ROAD 117 IN BATESVILLE, ZAVALA COUNTY, TEXAS REGION 16 - LAREDO TCEQ Region: ID Number(s): **AIR NEW SOURCE PERMITS REGISTRATION 102216** 09/01/2013 **Compliance History Period:** September 01, 2008 to August 31, 2013 Rating Year: 2013 Rating Date: October 15, 2013 **Date Compliance History Report Prepared:** Enforcement Agency Decision Requiring Compliance History: October 15, 2008 to October 15, 2013 **Component Period Selected:** TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History. Phone: (512) 239-3921 Name: Amancio R. Gutierrez Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period?

NO

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

NO

3) If YES for #2, who is the current owner/operator?

N/A

4) If YES for #2, who was/were the prior

N/A

owner(s)/operator(s)?

N/A

5) If YES, when did the change(s) in owner or operator occur?

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

Penalty Calculation Worksheet (PCW) Policy Revision 3 (September 2011) PCW Revision August 3, 2011 DATES Assigned 8-Aug-2013 PCW 15-Oct-2013 Screening 14-Aug-2013 **EPA Due** RESPONDENT/FACILITY INFORMATION Respondent Mockingbird Midstream Gas Services, L.L.C. (Site 5) Reg. Ent. Ref. No. RN106083900 Facility/Site Region 16-Laredo Major/Minor Source Major CASE INFORMATION Enf./Case ID No. 47414 No. of Violations 2 Docket No. 2013-1536-AIR-E Order Type 1660 Media Program(s) Air Government/Non-Profit No Multi-Media Enf. Coordinator Amancio R. Gutierrez EC's Team Enforcement Team 5 Admin. Penalty \$ Limit Minimum \$0 Maximum \$25,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) \$15,000 Subtotal 1 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. Compliance History -10.0% Enhancement Subtotals 2, 3, & 7 -\$1,500 Reduction for high performer classification. Notes 0.0% Enhancement Subtotal 4 \$0 Culpability No The Respondent does not meet the culpability criteria. Notes \$3,749 Good Faith Effort to Comply Total Adjustments Subtotal 5 0,0% Enhancement* Subtotal 6 \$0 **Economic Benefit** Total EB Amounts Capped at the Total EB \$ Amount \$1,080 Approx. Cost of Compliance \$9,751 SUM OF SUBTOTALS 1-7 Final Subtotal OTHER FACTORS AS JUSTICE MAY REQUIRE 11.1% Adjustment \$1,080 Reduces or enhances the Final Subtotal by the indicated percentage Enhancement to capture the avoided cost of compliance for Violation Notes Nos. 1 and 2. Final Penalty Amount \$10,831

Deferral offered for expedited settlement.

Final Assessed Penalty

Adjustment

Reduction

ıction.)

20.0%

\$10,831

-\$2,166

\$8,665

STATUTORY LIMIT ADJUSTMENT

Notes

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g

PAYABLE PENALTY

Screening Date 14-Aug-2013

Docket No. 2013-1536-AIR-E

Respondent Mockingbird Midstream Gas Services, L.L.C. (Site

Case ID No. 47414

Policy Revision 3 (September 2011) PCW Revision August 3, 2011

Reg. Ent. Reference No. RN106083900

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Compliance History Worksheet

ed under the Legislature, Safety Audit	0	0%
Legislature, Safety Audit		0%
Legislature, Safety Audit	£	
•		0%
	0	0%
Ple	ease Enter Yes or No No	0%
tive director		
are director	No	0%
	No	0%
e or federal	No	0%
stment Pei	rcentage (Sub	ototal 2) [
stment Pei	rcentage (Sub	ototal 3) [
stment Pei	rcentage (Sub	ototal 7)
		, .
		ent Percentage (Sub ent Percentage (Sub

Screening Date		Docket No. 2013-1536-AI	R-E	PCW
		as Services, L.L.C. (Site 5)	Policy Revision 3 (
Case ID No. Reg. Ent. Reference No.			PCW Revisio	on August 3, 2011
Media [Statute]				
Enf. Coordinator	Amancio R. Gutierrez			
Violation Number				
Rule Cite(s)	30 Tex. Admin. Code § 1:	16.110(a) and Tex. Health & Safety Code and 382.085(b)	§§ 382.0518(a)	
Violation Description	and operation. Specifica pumps each were installe	ation for the source of air emissions prior ally, two scavenger skids with two natural and operated at Site 5 from June 18, 2 prior to obtaining the proper authorization	gas pneumatic 012 to February	
			Base Penalty	\$25,000
>> Environmental, Prope	rty and Human Heal	th Matrix		
Release	Harm Major Moderat			
OR Actual				
Potential		Percent	0.0%	
>>Programmatic Matrix				
Falsification	Major Moderat		F 00/	
<u>Chilippica al Colo</u>]	Percent 1	5.0%	
Matrix Notes	100% of the	rule requirement was not met.		
<u> </u>		<u> </u>		
		Adjustment	\$21,250	
				\$3,750
Violation Events				
Violation Events				
Number of	Violation Events 3	249 Number of vic	lation days	
	daily weekly			
mark only one	monthlyx	Violatio	n Base Penalty	\$11,250
with an x	semiannualX	Violatio	ii base Fellalty	\$11,250
	annual			
	single event			
	Throng punch			
	mree quarte	erly events are recommended.		
				#2 012
Good Faith Efforts to Com	IPIY 25.0 Before NO	NOV to EDPRP/Settlement Offer		\$2,812
	Extraordinary			
	Ordinary x			
	N/Al The Re	(mark with x) spondent completed corrective measures	on l	
	18	22, 2013, before the violation disclosure of March 27, 2013.		
		Vio	lation Subtotal	\$8,438
Economic Benefit (EB) for	this violation	Statutory	Limit Test	
Estimat	ed EB Amount	\$540 Violation Fina	al Penalty Total	\$8,123
		riolation Final Assessed Penalty (adju		\$8,123
			,	

1					Percent Interest	Years of Depreciation
Them Cost					5.0	Depreciation 15
ALCIN WOOL	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$	k					
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
						\$0
						\$0
						\$0
						\$0
					n/a l	\$0
				L A		+0
			0.00	\$0 \$ 0	n/a n/a	\$0 \$0
ANNUAL	uze [1] avoided	costs before	0.00	\$0 ig item (except l	n/à for one-time avoid	\$0 led costs)
ANNUAL	IZE [1] avoided	costs before	0.00 enterir	\$0 ig item (except to \$0	n/a for one-time avoic \$0	\$0 led costs)
ANNUAL	IZE [1] avoided	costs before	0.00 enterir 0.00 0.00	\$0 ng item (except 1 \$0 \$0	n/a for one-time avoid \$0 \$0	\$0 led costs) \$0 \$0
ANNUAL	JZE [1] avoided	costs before	0.00 enterir 0.00 0.00	\$0 ig item (except 1 \$0 \$0 \$0	n/a For one-time avoid \$0 \$0 \$0 \$0	\$0 led costs) \$0 \$0 \$0
ANNUAL	.IZE [1] avoided	costs before	enterir 0.00 0.00 0.00 0.00	\$0 ig item (except) \$0 \$0 \$0 \$0	n/a for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 led costs) \$0 \$0 \$0 \$0 \$0
ANNUAL	IZE [1] avoided	costs before	0.00 enterir 0.00 0.00	\$0 ig item (except 1 \$0 \$0 \$0	n/a For one-time avoid \$0 \$0 \$0 \$0	\$0 led costs) \$0 \$0 \$0
10 CONT.				0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0		

Screening Date	14-Aug-2013	Docket No. 2013-1536-AIR-E	PCW
	Mockingbird Midstream Gas Service	es, L.L.C. (Site 5)	Policy Revision 3 (September 2011)
Case ID No. Reg. Ent. Reference No.			PCW Revision August 3, 2011
Media [Statute]			
	Amancio R. Gutierrez		
Violation Number			
Ruie Cite(s)	30 Tex. Admin. Code §§ 122.121 a 382.0	and 122.210(a) and Tex. Health & Safe 054 and 382.085(b)	ty Code §§
Violation Description	the Respondent operated two so pumps each at Site 5 prior to include	ces in the general operating permit. Species in the general gas produced in General gas providing the emission sources in General armit No. 03533.	eumatic
		Bas	se Penalty \$25,000
>> Environmental, Prope	rty and Human Health Matr	íx	
Release	Harm • Major Moderate Mi	nor	
OR Actual			_
Potential		Percent 0.0%	
>>Programmatic Matrix			
Falsification	Major Moderate Mi	Percent 15.0%	· •
	<u> </u>		
Matrix			
Notes	100% of the rule requ	irement was not met.	

		Adjustment	\$21,250
			\$3,750
Violation Events			
Number of	Violation Events 1	249 Number of violation	n days
Number of	Violation Events E	243 Number of Violation	idays
	daily		
	monthly		
mark only one with an x	quarterly	Violation Bas	se Penalty \$3,750
	semiannual annual		
	single event		
	One single event	is recommended.	
L			
Good Faith Efforts to Com			\$937
	Before NOV NOV to Extraordinary	EDPRP/Settlement Offer	
	Ordinary x		
	N/A (mark)	with x)	1
		completed corrective measures on , before the NOE date of July 3, 2013.	
		Violatio	n Subtotal \$2,813
Economic Benefit (EB) for	this violation	Statutory Limi	
240000000000000000000000000000000000000			
Estimat	ed EB Amount	\$540 Violation Final Per	
	This violation	Final Assessed Penalty (adjusted	for limits) \$2,708

Violation No.	Air 2				46. 16. 11. 11. 11. 11. 11. 11. 11. 11. 1	Percent Interest	Years of Depreciation
	Them Cost	Date Required	Final Date	Vve	Interact Cayad	5.0 Onetime Costs	15 EB Amount
Item Description			, mini parc		paterest ource	Silvenine Sugar	LU AMUUM
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
							\$0 \$0
Permit Costs	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 enterir	\$0 \$0 ig item (except	n/a n/a for one-time avoic	\$0 ded costs)
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 enterin	\$0 \$0 ng item (except 1	n/a n/a For one-time avoid \$0	\$0 ded costs) \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 enterir 0.00 0.00	\$0 \$0	n/a n/a for one-time avoid \$0 \$0	\$0 ded costs) \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel aspection/Reporting/Sampling	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 enterin 0.00 0.00	\$0 \$0 *0 *0 *0 \$0 \$0	n/a n/a for one-time avoid \$0 \$0 \$0	\$0 led costs) \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel espection/Reporting/Sampling Supplies/equipment	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 enterin 0.00 0.00 0.00	\$0 \$0 *0 *0 *0 \$0 \$0 \$0 \$0 \$0	n/a n/a for one-time avoid \$0 \$0 \$0 \$0	\$0 ded costs) \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 0.00 enterin 0.00 0.00 0.00 0.00	\$0 \$0 	n/a n/a For one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 ded costs) \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment	ANNUAL \$500	IZE [1] avoided		0.00 0.00 enterin 0.00 0.00 0.00	\$0 \$0 *0 *0 *0 \$0 \$0 \$0 \$0 \$0	n/a n/a for one-time avoid \$0 \$0 \$0 \$0	\$0 ded costs) \$0 \$0 \$0 \$0

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Compliance History Report

PENDING Compliance History Report for CN603710500, RN106083900, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

Customer, Respondent, or CN603710500, Mockingbird Midstream Gas Classification: HIGH Rating: 0.00 Services, L.L.C. Owner/Operator: RN106083900, DILLEY TREATING FACILITY Regulated Entity: Classification: HIGH Rating: 0.00 Repeat Violator: NO **Complexity Points:** 03 - Oil and Gas Extraction CH Group: ON COUNTY ROAD 4827, 8.81 MILES WEST-SOUTHWEST OF THE HIGHWAY 85 AND INTERSTATE HIGHWAY 35 Location: INTERSECTION IN DILLEY, LA SALLE COUNTY, TEXAS REGION 16 - LAREDO TCEQ Region: ID Number(s): AIR OPERATING PERMITS ACCOUNT NUMBER LDA004C **AIR OPERATING PERMITS PERMIT 3533 AIR NEW SOURCE PERMITS REGISTRATION 94936 AIR NEW SOURCE PERMITS REGISTRATION 96313 AIR NEW SOURCE PERMITS REGISTRATION 109587** AIR NEW SOURCE PERMITS AFS NUM 4828300010 AIR EMISSIONS INVENTORY ACCOUNT NUMBER LDA004C **AIR EMISSIONS INVENTORY ACCOUNT NUMBER LDA004C** September 01, 2008 to August 31, 2013 Rating Year: 2013 **Compliance History Period:** Rating Date: 09/01/2013 **Date Compliance History Report Prepared:** October 15, 2013 Enforcement **Agency Decision Requiring Compliance History:** October 15, 2008 to October 15, 2013 **Component Period Selected:** TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History. Name: Amancio R. Gutierrez Phone: (512) 239-3921 Site and Owner/Operator History: YES 1) Has the site been in existence and/or operation for the full five year compliance period? NO 2) Has there been a (known) change in ownership/operator of the site during the compliance period?

3) If YES for #2, who is the current owner/operator?

N/A

4) If YES for #2, who was/were the prior

N/A

owner(s)/operator(s)?

5) If YES, when did the change(s) in owner or operator

N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

N/A

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
MOCKINGBIRD MIDSTREAM	§	TEXAS COMMISSION ON
GAS SERVICES, L.L.C.	§	TEAAS COMMISSION ON
RN106153554, RN106501398,	§	
RN106449283, RN106388085,	§	
and RN106083900	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2013-1536-AIR-E

I. JURISDICTION AND STIPULATIONS

On ________, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Mockingbird Midstream Gas Services, L.L.C. ("Respondent") under the authority of Tex. Health & Safety Code ch. 382 and Tex. Water Code ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

- 1. The Respondent owns and operates five oil and gas production facilities at the following locations (collectively the "Sites"):
 - a. On Highway 117, 16 miles southeast of the Highway 85 and Highway 117 intersection in Dilley, La Salle County, Texas ("Site 1");
 - b. On Farm-to-Market Road ("FM") 469, 9.19 miles northeast of the intersection of Interstate Highway 35 and North Main Street in Cotulla, La Salle County, Texas ("Site 2");
 - c. On an unnamed road, 8.21 miles southeast of the intersection of Texas 85 and FM 468 in Pearsall, Dimmit County, Texas ("Site 3");
 - d. On FM 117, 10.1 miles southeast of the intersection of Highway 57 and FM 117 in Batesville, Zavala County, Texas ("Site 4"); and

- e. On County Road 4827, 8.81 miles west-southwest of the State Highway 85 and Interstate Highway 35 intersection in Dilley, La Salle County, Texas ("Site 5").
- 2. The Sites consist of one or more sources as defined in Tex. Health & Safety Code § 382.003(12).
- 3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 4. The Respondent disclosed the violations alleged in Section II ("Allegations") on March 27, 2013.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 6. An administrative penalty in the amount of Twenty-Two Thousand Seven Hundred Thirty-Six Dollars (\$22,736) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Eighteen Thousand One Hundred Ninety-Two Dollars (\$18,192) of the administrative penalty and Four Thousand Five Hundred Forty-Four Dollars (\$4,544) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.
- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 Tex. ADMIN. CODE § 70.10(a).
- 9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Sites that resulted in not being required to obtain the proper authorization:
 - a. On February 20, 2013, the four pneumatic pumps at Site 3 were placed on supplied air, terminating all volatile organic compound ("VOC") emissions from the two scavenger skids;
 - b. On February 22, 2013, the four pneumatic pumps at Site 5 were placed on supplied air, terminating all VOC emissions from the two scavenger skids;
 - c. On March 13, 2013, the four pneumatic pumps at Site 1 and the four pneumatic pumps at Site 4 were placed on supplied air, terminating all VOC emissions from the four scavenger skids; and

Mockingbird Midstream Gas Services, L.L.C. DOCKET NO. 2013-1536-AIR-E Page 3

- d. On March 14, 2013, the scavenger skid and the two pneumatic pumps were removed from Site 2.
- 10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Sites, the Respondent is alleged to have:

- 1. Failed to obtain authorization for the source of air emissions prior to construction and operation, in violation of 30 Tex. Admin. Code § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b), as documented during a record review conducted on July 3, 2013. Specifically, two scavenger skids with two natural gas pneumatic pumps each were installed and operated at Site 1 from January 23, 2012 to March 13, 2013, prior to obtaining the proper authorization.
- 2. Failed to obtain authorization for the source of air emissions prior to construction and operation, in violation of 30 Tex. Admin. Code § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b), as documented during a record review conducted on July 3, 2013. Specifically, a scavenger skid with two natural gas pneumatic pumps was installed and operated at Site 2 from January 23, 2013 to March 14, 2013, prior to obtaining the proper authorization.
- 3. Failed to obtain authorization for the source of air emissions prior to construction and operation, in violation of 30 Tex. Admin. Code § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b), as documented during a record review conducted on July 3, 2013. Specifically, two scavenger skids with two natural gas pneumatic pumps each were installed and operated at Site 3 from October 1, 2012 to February 20, 2013, prior to obtaining the proper authorization.
- 4. Failed to obtain authorization for the source of air emissions prior to construction and operation, in violation of 30 Tex. Admin. Code § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b), as documented during a record review conducted on July 3, 2013. Specifically, two scavenger skids with two natural gas pneumatic pumps each were installed and operated at Site 4 from May 14, 2012 to March 13, 2013, prior to obtaining the proper authorization.
- 5. Failed to obtain authorization for the source of air emissions prior to construction and operation, in violation of 30 Tex. ADMIN. CODE § 116.110(a) and Tex. Health & Safety

Mockingbird Midstream Gas Services, L.L.C. DOCKET NO. 2013-1536-AIR-E Page 4

CODE §§ 382.0518(a) and 382.085(b), as documented during a record review conducted on July 3, 2013. Specifically, two scavenger skids with two natural gas pneumatic pumps each were installed and operated at Site 5 from June 18, 2012 to February 22, 2013, prior to obtaining the proper authorization.

6. Failed to include all emission sources in the general operating permit, in violation of 30 Tex. Admin. Code §§ 122.121 and 122.210(a) and Tex. Health & Safety Code §§ 382.054 AND 382.085(b). Specifically, the Respondent operated two scavenger skids with two natural gas pneumatic pumps each at Site 5 prior to including the emission sources in General Operating Permit No. O3533.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Mockingbird Midstream Gas Services, L.L.C., Docket No. 2013-1536-AIR-E" to:

Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the operations of the sites referenced in this Agreed Order.
- 3. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 4. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and

Mockingbird Midstream Gas Services, L.L.C. DOCKET NO. 2013-1536-AIR-E Page 5

may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under Tex. Bus. Org. Code § 1.002.

5. Under 30 Tex. Admin. Code § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier.

Mockingbird Midstream Gas Services, L.L.C. DOCKET NO. 2013-1536-AIR-E Page 6

For the Commission

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Pam 212 015/14
For the Executive Director Date
I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.
 I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in: A negative impact on compliance history; Greater scrutiny of any permit applications submitted; Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency; Increased penalties in any future enforcement actions; Automatic referral to the Attorney General's Office of any future enforcement actions; and
TCEQ seeking other relief as authorized by law.
In addition, any falsification of any compliance documents may result in criminal prosecution.
Signature 15 Date Date
Name (Printed or typed) Authorized Representative of Mockingbird Midstream Gas Services, L.L.C.

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.